

NORMAN ELECTION COMMISSION MINUTES

MAY 2, 2016

The Norman Election Commission of the City of Norman, Cleveland County, Oklahoma, met in the Municipal Building Conference Room at 201 West Gray on the 2nd day of May, 2016, at 2:03 p.m. Notice and agenda of the meeting were posted at the Municipal Building 48 hours prior to the beginning of the meeting.

MEMBERS PRESENT: Elizabeth Pierce  
Elizabeth Windes  
Ty Hardiman, Chairman

MEMBERS ABSENT: Robin Allen  
Richard Hilbert

OTHERS PRESENT: Kristina Bell, Assistant City Attorney  
Jeff Bryant, City Attorney  
Brenda Hall, City Clerk

**Item 2. Consideration of approval of the Norman Election Commission minutes of March 30, 2016, as corrected.** Member Windes moved that the Norman Election Commission minutes of March 30, 2016, as corrected, be approved, which motion was duly seconded by Member Pierce;

Items submitted for the record

1. Norman Election Commission minutes of March 30, 2016, as corrected

and the question being upon approving the Norman Election Commission minutes of March 30, 2016, as corrected, a vote was taken with the following result:

YEAS: Members Pierce, Windes, and Chairman Hardiman

NAYES: None

Chairman Hardiman declared the motion carried and the Norman Election Commission minutes of March 30, 2016, as corrected, were approved.

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**Item 3. Review of Campaign Contribution and Expenditure Reports from the following candidates and elected officials.**

NAME ON REPORT	STATEMENT OF ORGANIZATION	QUARTERLY CONTRIBUTION & EXPENDITURE REPORT	CONTRIBUTION & EXPENDITURE REPORT - FINAL
Friends of Cindy Rosenthal (2013)		X	
Greg Heiple for Ward 1 (2015)		X	
Castleberry for Ward 3 (2015)		X	
Holman for Norman (2015)		X	
Lynne Miller for Norman City Council (2015)			X

Item 3, continued:

***Friends of Cindy Rosenthal (2013)***

Member Windes moved that the Campaign Contribution and Expenditure Report for Friends of Cindy Rosenthal (2013) be accepted, which motion was duly seconded by Member Pierce;

Items submitted for the record

1. Municipal Candidate Committee Contributions and Expenditures Report for Friends of Cindy Rosenthal (2013) filed April 29, 2016

and the question being upon accepting the Campaign Contribution and Expenditure Report for Friends of Cindy Rosenthal (2013), a vote was taken with the following result:

YEAS: Members Pierce, Windes, and  
Chairman Hardiman

NAYES: None

The Chairman declared the motion carried and the Campaign Contribution and Expenditure Report for Friends of Cindy Rosenthal (2013) was accepted.

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***Greg Heiple for Ward 1 (2015)***

Member Windes moved that the Campaign Contribution and Expenditure Report for Greg Heiple for Ward 1 (2015) be accepted, which motion was duly seconded by Member Pierce;

Items submitted for the record

1. Municipal Candidate Committee Contributions and Expenditures Report for Greg Heiple for Ward 1 (2015) filed April 29, 2016

and the question being upon accepting the Campaign Contribution and Expenditure Report for Greg Heiple for Ward 1 (2015), a vote was taken with the following result:

YEAS: Members Pierce, Windes, and  
Chairman Hardiman

NAYES: None

The Chairman declared the motion carried and the Campaign Contribution and Expenditure Report for Greg Heiple for Ward 1 (2015) was accepted.

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Item 3, continued:

***Castleberry for Ward 3 (2015)***

Member Windes moved that the Campaign Contribution and Expenditure Reports for Castleberry for Ward 3 (2015) be accepted, which motion was duly seconded by Member Pierce;

Items submitted for the record

1. Municipal Candidate Committee Contributions and Expenditures Report for Castleberry for Ward 3 (2015) filed April 29, 2016

and the question being upon accepting the Campaign Contribution and Expenditure Report for Castleberry for Ward 3 (2015), a vote was taken with the following result:

YEAS: Members Pierce, Windes, and  
Chairman Hardiman

NAYES: None

The Chairman declared the motion carried and the Campaign Contribution and Expenditure Report for Castleberry for Ward 3 (2015) was accepted.

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***Holman for Norman (2015)***

Member Windes moved that the Campaign Contribution and Expenditure Report for Holman for Norman (2015) be accepted, which motion was duly seconded by Member Pierce;

Items submitted for the record

1. Municipal Candidate Committee Contributions and Expenditures Report for Holman for Norman (2015)

and the question being upon accepting the Campaign Contribution and Expenditure Report for Holman for Norman (2015), a vote was taken with the following result:

YEAS: Members Pierce, Windes, and  
Chairman Hardiman

NAYES: None

The Chairman declared the motion carried and the Campaign Contribution and Expenditure Report for Holman for Norman (2015) was accepted.

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Item 3, continued:

***Lynne Miller for Norman City Council Ward 5 (2015)***

Member Windes moved that the Final Campaign Contribution and Expenditure Report for Lynne Miller for Norman City Council Ward 5 (2015) be accepted, which motion was duly seconded by Member Pierce;

Items submitted for the record

1. Final Municipal Candidate Committee Contributions and Expenditures Report for Lynne Miller for Norman City Council Ward 5 (2015) filed February 9, 2015

and the question being upon accepting the Final Campaign Contribution and Expenditure Report for Lynne Miller for Norman City Council Ward 5 (2015), a vote was taken with the following result:

YEAS: Members Pierce, Windes, and Chairman Hardiman

NAYES: None

The Chairman declared the motion carried and the Final Campaign Contribution and Expenditure Report for Lynne Miller for Norman City Council Ward 5 (2015) was accepted.

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**Item 4. Continued discussion regarding Senate Bill 438 related to the Municipal Campaign Finance and Financial Disclosure Act, which authorizes municipalities to enact comprehensive code of campaign finance and personal financial disclosure ordinances.**

Chairman Hardiman said the Norman Election Commission (NEC) has had continued discussion as to the desire of City Council for campaign requirements for local elections. What was the City's response? He said City Council approved Resolution R-1415-63 on December 9, 2014, requesting the State allow municipalities to enact local regulations to provide greater transparency of campaign donations and expenditures.

Chairman Hardiman said the NEC has not received any letters of complaint during the current election cycle nor have there been any accusations made, to his knowledge. Ms. Brenda Hall, City Clerk, said she received two phone calls and one visit regarding illegal signs and a possible violation of the City Charter, but these are not types of complaints NEC would have acted on.

Chairman Hardiman said the State has given municipalities the opportunity to draft their own regulations; however it would be all or nothing. If the City of Norman adopted an ordinance regarding campaign contributions and expenditures, the City would have to enforce those rules and the State Ethics Commission would basically wash their hands of the situation. He said NEC has talked extensively with the City's Legal Department regarding the pros and cons of taking this on and NEC has fleshed out a lot of answers to its questions regarding whether or not this is something to recommend to City Council. He said if NEC takes no further action and decides not to continue this discussion, he believes citizens will want to know why. He said one option is to prepare a report to the public and City Council that outlines the pros and cons of items NEC has discussed or hold a public meeting for people who are interested in having input on whether or not this is something that would benefit Norman.

Item 4, continued:

Chairman Hardiman asked Ms. Hall what the next step for NEC should be and Ms. Hall said if part of the goal of having local control is to be able to resolve matters more quickly prior to an election the likelihood of that happening even at the local level would be unrealistic because of the time it takes to investigate a complaint and make a determination on whether or not a violation has taken place. She said if the complaint resulted in charges being filed the due process piece would definitely not take place before an election. She said sometimes complaints have merit and sometimes they do not and that gets aired publicly during the NEC meetings, but it has never been a quick process. The NEC could hold a public meeting to receipt input and that could be included in the recommendation to City Council as an appendix to the Final Report in September.

Chairman Hardiman felt it would be a simple matter to draft an ordinance regarding contribution limits and expenditure reporting rules because NEC is really limited in scope to financial disclosure and an ordinance would reflect the basics of that. He said NEC does not want to get into issues, such as illegal political signs, when the Code Enforcement Department already handles that. Ms. Hall said there is a lot of passion over where political signs are placed and a lot of volunteers not aware of the City's rules so signs are always posted in places they should not be. She does think NEC would want to limit the scope of the ordinance to financial reporting, financial disclosure statements, and quarterly reports. She does not know if year round reporting would still need to be done as mandated by current State rules.

Chairman Hardiman said the crux of the matter is whether or not City Council or the public have very strong feelings about pushing for local rules and in order to make that determination they need to know what NEC has learned during these discussions, such as the accused being entitled to a jury trial if a fine exceeds a certain amount and the fact that they can take it to District Court if they do not like the outcome of the Municipal Court findings, etc. He thinks those explanations are really going to steer what people want NEC to do because if the fines are so restrained that they appear to have no effect then people will just want to stick with State rules. Ms. Hall said during this election cycle there have been three or four contributions that have hit the State's maximum \$2,700, but there was a general fear there would be a lot more than that. She said this is the lowest funded Mayoral race in recent history and did not live up to those fears. She said the two benefits from local rules are 1) the first \$1,000 spent that is not currently reported would be reported under local rules and 2) the State's blackout period could be avoided. The downside would be the educational component because changing the rules over and over becomes convoluted and confusing to candidates.

Ms. Hall said if the City adopted a new ordinance and opted out of State rules, the State would have to approve that ordinance to ensure the ordinance still covered all provisions of the State.

Chairman Hardiman asked if NEC should prepare a presentation and call a public meeting for people that want to hear the pros and cons of a local ordinance. He said they cannot possibly know the level of detail NEC has delved into and it may only be a meeting with five people and Joy Hampton, The Norman Transcript, but given the accountability of this Board to the public, a public meeting would ultimately help NEC with their decision for a recommendation to City Council. He did not know if NEC should make a final decision without further discussion with Council and the public. Ms. Hall said after the public input, the report back to Council needs to be some type of recommendation from NEC as to what NEC's opinion is based on what they have learned and what they have heard from the public.

Chairman Hardiman felt that Council should be part of the public input process as well, and Ms. Hall said Council could be invited to attend the public meeting. She said Council is ultimately impacted because not only were they candidates at one point and time, they are still involved in the reporting process.

Item 4, continued:

Chairman Hardiman asked if a public meeting could be scheduled and Ms. Hall said the next regular meeting is June 22, 2016, so a public meeting could be scheduled before then. Chairman Hardiman asked if NEC members supported moving forward with a public meeting and members concurred. Ms. Hall felt a public meeting could be scheduled prior to June 22nd and said she would provide NEC members options on dates.

Items submitted for the record

1. Resolution R-1415-63
2. Senate Bill No. 438
3. Legislatively notated copy of Ordinance O-1415-23
4. Verbatim excerpts from the November 25, 2014, Council meeting

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**Item 5. General Election report to be submitted to City Council on May 10, 2016.**

Chairman Hardiman said the General Election report to be submitted to Council will consist of a short narrative and minutes from all the NEC meetings. He said the final report will be submitted to Council once the election cycle is complete and that report will be more comprehensive.

**Item 6. Miscellaneous Discussion.**

None

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**Item 7. Adjournment.**

Chairman Hardiman declared the meeting be adjourned at 2:48 p.m.